

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DIBA FAMILY LIMITED PARTNERSHIP  
AND 170 EAST 75<sup>TH</sup> LLC,

Plaintiffs,

13 Civ. 6384 (LGS)(JLC)

against

**NOTICE OF APPEAL**

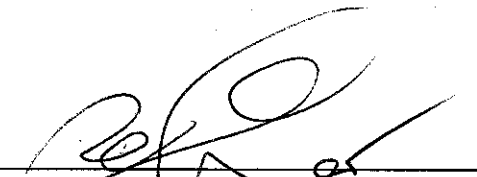
DAVID ROSS AND HELEN WERNGREN  
ROSS,

Defendants.

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**NOTICE IS HEREBY GIVEN**, that the Plaintiffs DIBA FAMILY LIMITED PARTNERSHIP and 170 EAST 75<sup>TH</sup> LLC in the above named case appeal to the United States Court of Appeals for the Second Circuit from the Memorandum Opinion and Order of the Hon. Lorna G. Schofield, U.S.D.J. filed on October 27, 2104 and the Judgment filed on October 28, 2014 granting Defendant's motion to dismiss, denying Defendant's request for attorneys' fees and directing the Clerk of the Court to close the case.

Dated: New York, New York  
November 18, 2014

  
Robert J. Gumenick, Esq.

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